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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,775	10/18/2000	Leon Thrane	NC30507	4383
29683	7590	02/04/2005	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			NGUYEN, CHAU T	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/691,775	Applicant(s) THRANE, LEON	
	Examiner Chau Nguyen	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Amendment, received on 08/02/2004, has been entered. Claims 1-23 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 9-19 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yalcinalp, US Patent No. 6,507,857, and further in view of Boag et al. (Boag), US Patent No. 6,589,291.

4. As to claims 1 and 13, Yalcinalp discloses a content transformation method operated in a client-server communication system, the method comprising:

receiving a content request by a server from a client (col. 4, lines 49-67: application server 104 receives client requests);

performing a first stage content transformation to generate a first stage data layout based upon said content request (col. 5, lines 7-50: generating a transformed document for the user in response to the document request);

performing a final stage content transformation to generate a presentation format based on a device used by said client (col. 5, line 65 – col. 6, line 13: the transformed document will be formatted based on client type, for example: the user client type might be a PDA or a browser on a PC).

However, Yalcinalp does not explicitly disclose performing an intermediate stage content transforming using said first stage data layout to generate a intermediate data layout. In the specification, applicant described the intermediate stage comprises a browser-type substage based on the type of browser and internationalization stage which is a specific language used by the client. In the similar field of endeavor, Boag discloses selecting one or more style sheets based on variable factors such as the target device and browser or the selected style sheets may create output in a language appropriate for the wireless connection and the target device (col. 8, line 39 – col. 9, line 49 and col. 10, lines 42-62). Since Boag discloses a method for dynamically determining the most appropriate location for applying style sheets on a client request depends on the capabilities of the client device, which is similar to processing a user request document to a transformed document and formatting the transformed document specific to the client specification of Yalcinalp, thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boag and Yalcinalp to include performing a intermediate stage content transforming

using the first stage data layout to generate a intermediate data layout to provide a technique for increasing the applicability of style sheets when a style sheet tailored to a particular target environment is not readily available.

5. As to claims 2 and 14, Yalcinalp and Boag (Yalcinalp-Boag) disclose wherein performing a first stage content transformation comprises retrieving data from a database (Yalcinalp, col. 5, lines 38-64).

6. As to claims 3 and 15, Yalcinalp-Boag disclose wherein performing a first stage content transformation further comprises defining a set of first stage rules (Yalcinalp, col. 5, line 38 – col. 6, line 13).

7. As to claims 4 and 16, Yalcinalp-Boag disclose wherein performing a first stage content transformation further comprises generating said first stage data layout by transforming said data using said first stage rules (Yalcinalp, col. 5, line 38 – col. 6, line 13).

8. As to claims 5 and 17, Boag discloses the step of performing an intermediate stage content transformation comprises performing at least one sub-stage to generate said intermediate stage data layout in col. 8, line 39 – col. 9, line 49 and col. 10, lines 42-62: selecting one or more style sheets based on variable factors such as the target device and browser or the selected style sheets may create output in a language

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appropriate for the wireless connection and the target device. Since Boag discloses a method for dynamically determining the most appropriate location for applying style sheets on a client request depends on the capabilities of the client device, which is similar to processing a user request document to a transformed document and formatting the transformed document specific to the client specification of Yalcinalp, thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boag and Yalcinalp to include performing a intermediate stage content transforming using the first stage data layout to generate a intermediate data layout to provide a technique for increasing the applicability of style sheets when a style sheet tailored to a particular target environment is not readily available.

9. As to claims 6 and 18, Boag disclose wherein performing said at least one sub-stage comprises performing a browser-type stage using a set of browser-type rules (col. 8, line 39 – col. 9, line 49 and col. 10, lines 42-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boag and Yalcinalp to include of performing one or more sub-stages comprises a step of performing a browser-type stage using a set of browser-type rules to provide a technique for increasing the applicability of style sheets when a style sheet tailored to a particular target environment is not readily available.

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10. As to claims 7 and 19, Boag discloses wherein performing said at least one sub-stage comprises performing an internationalization stage using a set of internationalization rules (col. 9, line 50 – col. 10, line 62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boag and Yalcinalp to include of performing one or more sub-stages comprises a step of performing an internationalization stage using a set of internationalization rules to provide a technique for increasing the applicability of style sheets when a style sheet tailored to a particular target environment is not readily available.

11. As to claims 9 and 21, Boag disclose wherein performing said at least one sub-stage comprises performing an optimization stage using a set of optimization rules (Boag, col. 7, line 58 – col. 8, line 36). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boag and Yalcinalp to include performing one or more sub-stages comprises a step of performing an optimization stage using a set of optimization rules. Boag suggests that using optimizing transformations preferably reduce the amount of content contained in a document before transmitting the document to the device for style sheet application and rendering of the document for presentation.

12. As to claims 10 and 22, Yalcinalp-Boag disclose wherein performing a final stage content transformation comprises defining a set of final stage rules (Yalcinalp, col. 5,

line 65 – col. 6, line 13: the transformed document will be formatted based on client type, for example: the user client type might be a PDA or a browser on a PC).

13. As to claims 11 and 23, Yalcinalp-Boag disclose wherein defining a set of final stage rules comprises using said content request to define the final stage rules (Yalcinalp, col. 5, line 65 – col. 6, line 13: the transformed document will be formatted based on client type, for example: the user client type might be a PDA or a browser on a PC).

14. As to claim 12, Yalcinalp-Boag disclose wherein the content transformation is XSLT based content transformation using an XSLT engine (Yalcinalp, Abstract).

15. Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yalcinalp and Boag as applied to claims 1-7, 9-19 and 21-23 above, and further in view of Thum et al. (Thum), US Patent No. 6,616,700.

16. As to claims 8 and 20, Yalcinalp-Boag disclose the limitations as discussed above. However, Yalcinalp and Boag do not explicitly disclose wherein the step of performing one or more sub-stages comprises a step of performing a user profile stage using a set of user profile rules. In the same field of endeavor, Thum discloses a user can define the content to be delivered in a presentation based on the person's preferences (profile) by checking user profile to determine what kind of data is required

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for presentation (col. 4, line 63 – col. 6, line 50). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Thum and Yalcinalp-Boag to include performing one or more sub-stages comprises a step of performing a user profile stage using a set of user profile rules in order to enhance the system.

Response to Arguments

In the remarks, Applicant(s) argued in substance that

A) “It is pointed out that neither Yalcinalp or Boag et al. make any suggestion of:

“performing an intermediate stage content transformation using said first stage data layout to generate an intermediate data layout; and

performing a final stage content transformation using said intermediate data layout to generate a presentation format based on a device used by said client”,

as is cited in claims 1 and 13.” (see page 9 of remarks)

As to point A, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, Yalcinalp discloses performing a first stage content transformation to generate a first stage data layout based upon said content request (col. 5, lines 7-50: generating a transformed document for the user in response to the document request);

performing a final stage content transformation to generate a presentation format based on a device used by said client (col. 5, line 65 – col. 6, line 13: the transformed document will be formatted based on client type, for example: the user client type might be a PDA or a browser on a PC).

However, Yalcinalp does not explicitly disclose performing an intermediate stage content transforming using said first stage data layout to generate a intermediate data layout. In the specification, applicant described the intermediate stage comprises a browser-type substage based on the type of browser and internationalization stage which is a specific language used by the client. In the similar field of endeavor, Boag discloses selecting one or more style sheets based on variable factors such as the target device and browser or the selected style sheets may create output in a language appropriate for the wireless connection and the target device (col. 8, line 39 – col. 9, line 49 and col. 10, lines 42-62). Since Boag discloses a method for dynamically determining the most appropriate location for applying style sheets on a client request depends on the capabilities of the client device, which is similar to processing a user request document to a transformed document and formatting the transformed document specific to the client specification of Yalcinalp, thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boag and Yalcinalp to include performing a intermediate stage content transforming

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using the first stage data layout to generate a intermediate data layout to provide a technique for increasing the applicability of style sheets when a style sheet tailored to a particular target environment is not readily available.

B) "The addition of the markup language presentation system of Thum et al. does not cure the deficiencies in the teachings of Yalcinalp and Boag et al." (see page 11 of remarks)

As to point B, Examiner rejected claims 8 and 20 under 35 U.S.C. 103(a) as being unpatentable over Yalcinalp and Boag as applied to claims 1-7, 9-19 and 21-23 above, and further in view of Thum et al. (Thum), US Patent No. 6,616,700. Yalcinalp-Boag disclose the limitations as discussed above. However, Yalcinalp and Boag do not explicitly disclose wherein the step of performing one or more sub-stages comprises a step of performing a user profile stage using a set of user profile rules. In the same field of endeavor, Thum discloses a user can define the content to be delivered in a presentation based on the person's preferences (profile) by checking user profile to determine what kind of data is required for presentation (col. 4, line 63 – col. 6, line 50). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Thum and Yalcinalp-Boag to include performing one or more sub-stages comprises a step of performing a user profile stage using a set of user profile rules in order to enhance the system.

17. Applicant's arguments filed 08/02/2004 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The examiner can normally be reached on 8:00 am – 5:00 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen
Patent Examiner
Art Unit 2176


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER